



Arizona Ombudsman-Citizens' Aide

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September 10, 2010

Members of the Arizona Legislature

The Honorable Jan Brewer, Governor

Pursuant to A.R.S. § 41-1376, I have the honor of submitting my annual report on the performance of our office during calendar year 2009.

This is our fourteenth annual report and we hope it paints a picture of what our office does for the people of Arizona. As in previous reports, we have included a sampling of the kinds of problems that people bring to us and how we responded to them. We have also included information that statute directs us to provide to the legislature, governor and public.

Our job is to help citizens resolve problems with state government agencies. We do this by coaching them on how to resolve their problems themselves, providing informal assistance to clear up miscommunications and simple mistakes, and formally investigating more serious complaints.

Our mission is to improve the effectiveness, efficiency and responsiveness of state government by receiving public complaints, investigating the administrative acts of state agencies and, when warranted, recommending fair and appropriate remedy.

- For the public, we help assure that state administrators treat their clients fairly, promptly, and respectfully. We provide a practical alternative between merely voicing a complaint and resorting to litigation.
- For the administrator, we provide an independent check to make sure that mistakes are caught and corrected. When a wrong has been done, we propose remedies. When a wrong has not been done, we exonerate administrators from unjustified criticism.
- For the legislature, we can identify the unintentional impact of well-intentioned laws and point out where agencies have misinterpreted statutes. We also investigate and help resolve particularly complex constituent problems. Our periodic reports provide

a measurement of public satisfaction with state government.

We hope you find this report useful and informative. Please contact us if you have any questions or comments. We welcome the opportunity to sit down and discuss our program with you.

We could also use your help in spreading the word about the services we offer. If you know of someone who could use our help, please let us know so we can contact him or her.

Pat Shannahan
Ombudsman-Citizens' Aide

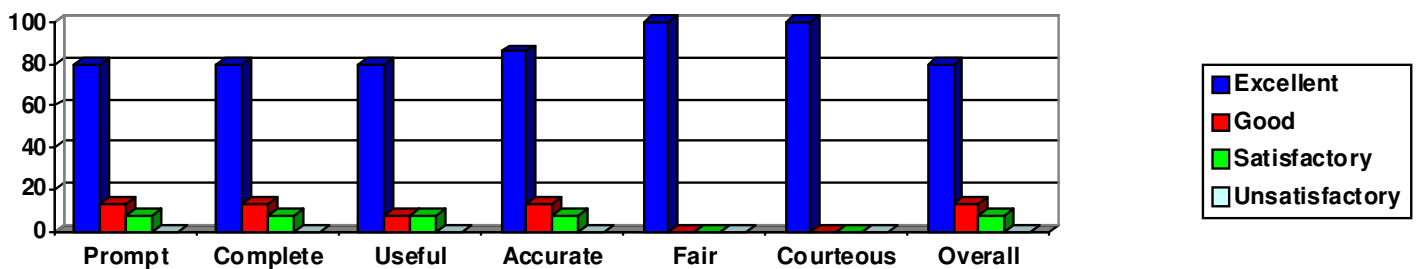
Customer Satisfaction Survey

It is important for us to receive feedback from the citizens we help so that we can evaluate our performance, correct shortcomings and improve our service. One way we get feedback is through our customer satisfaction survey. The survey measures how well we are accomplishing six standards that we developed in our strategic plan. These standards are:

- Respond **promptly** to citizen inquiries.
- Provide as **complete** a response as possible.
- Provide **useful** solutions to citizens.
- Provide **accurate** response to citizen complaints.
- Treat everyone **fairly**.
- Treat everyone **with courtesy and respect**.

The following chart and comments summarize the results of the survey for calendar year 2009:

Customer Satisfaction Survey Results -- Percent



Selected Survey Comments from the Past Year

I'm glad we have an office that cares about the citizens of Arizona.

Joanne was very helpful. I would not have been able to get a quick resolution without her. I was losing sleep and very stressed until I started working with Joanne.

You folks helped me out of an unfair situation. Thank you very much for your support.

Liz Hill was very professional and followed through with our concerns.

Thank you so much to Joanne MacDonnell. Because of her I am still employed today. I am very grateful.

Joanne was a breath of fresh air. She listened, understood and got results. Thank you Joanne.

Nice job guys. I got peace of mind.

A couple of months ago my wife and I called the office and spoke with Therasia Roland. We were upset with DES. We took out our frustrations on her, unfortunately. We were humbled by her professionalism and down-to-earth manner (not to mention her contagious laugh). My wife and I thank you.

You people rock! You helped when it seemed that I was doomed. It's bad enough to be laid off, but to then have trouble with the system makes things worse.

I recently had the pleasure of receiving assistance from Elizabeth Hill while trying to educate myself on open meeting laws. She was not only extremely thorough (and surprisingly patient) with me, she helped me feel very confident in my understanding of the open meeting laws. Believe me when I say that this was not an easy task. Elizabeth Hill is a phenomenal asset to your office and should be commended for all her efforts.

Elizabeth Hill is an outstanding example of what a public employee should be. She goes that extra mile to ensure people are satisfied and understand the process they are inquiring about. Ms Hill has a great personality to deal with all kinds of people and treats everyone with the greatest respect. She is always prompt with her replies and furnishes in-depth material and information to the person requesting help. I wish there were more state employees with Ms Hill's skills and fervor. What a great asset she is to this agency.

Case Examples from the Past Year

903728. A mother said that she was upset because DES Family Assistance Administration (FAA) was not following through on her fraud allegation and the DES Division of Child Support Enforcement (DCSE) was attempting to charge her for a bogus debt. The mother explained that, following her divorce, she had taken custody of her child and moved to Alabama. However, the father misled Arizona DES staff and told them that *he* was raising the child in Arizona in order to receive food stamps, cash assistance and housing.

The lady discovered this and reported the fraud to DES, but the Fraud Department said it would take at least six months to get the case investigated. The local DES office said they could not help either.

Worse, DCSE told the woman that they were going to garnish her wages to reimburse the state for the ill-gotten benefits her ex-spouse was receiving.

We contacted DES Department of Child Support Enforcement (DCSE) and asked them if the family had an open child support case. DCSE said the father opened a case, but it looked incomplete. DCSE had no record of court proceedings or anything that would have set up child support.

We also contacted DES Benefits and Medical Eligibility. They said the man opened the case and got a neighbor to back his claim that he had children in the home. This branch of DES acknowledged they had no court custody document either. We asked both DES divisions to work together to investigate.

We went to the mother and got proof her daughter was in Alabama and sent it to both divisions. DCSE closed the child support case referral they got from Family Assistance. FAA took the child off the man's assistance case. The Fraud Department launched an investigation.

We informed the mother that the man was no longer able to claim the child and she would not be required to pay for his fraud.

903529. A man complained that Department of Economic Security-Unemployment Insurance (DES-UI) had just informed him that he was overpaid \$7,400. No one explained to him how he was overpaid and the Department stopped his unemployment checks until he reimbursed them for the overpayment.

We contacted DES-UI and after reviewing the file, they determined that there was a Department error and that there really was no overpayment. The Department rescinded the overpayment action, explained what happened to the complainant and apologized for the error. He was very happy.

901961. A senator's office called and said that a taxpayer was having trouble with the Department of Revenue (DOR). The man had underpaid sales tax and owed \$15,000 in taxes. The man set up a payment plan, but was not able to keep to it because of the economy. In an effort to cut expenses, the man sold his truck. He planned to pay off the loan and use the rest of the money toward his back taxes. As soon as he deposited the money in his account, DOR swept the funds. Although the man had sold his truck, he had no money to pay off the loan and could not clear the title.

DOR staff did not understand the man's dilemma, so he contacted us. After the complainant issued us a Power of Attorney, we contacted DOR and explained how the money was not his, but was needed to pay off the car loan. We gave DOR the documentation to prove that he could not get the car lien released for the new buyer until he paid off the car loan. DOR reviewed the material and agreed the money should go to pay off the truck and was not appropriate to sweep.

904058. A wife complained that DES listed her husband as a Caucasian in the AHCCCS system. This caused a problem because he was a Native American and used a Native American medical facility. The clinic only accepted patients who were Native American and part of the American Indian Health plan. She asked the department to change his race on the application because he needed to go to the clinic and be treated for his illness.

We contacted DES and after reviewing the file, they determined that his race was noted incorrectly on the system. They corrected their system and contacted AHCCCS to update their system as well. The Assistant Program Manager spoke to the complainants and confirmed that the problem had been fixed. The man was allowed to use the clinic.

902118. A retired state employee said that the Arizona State Retirement System (ASRS) deposited his money into the wrong account. They mixed up an "8" with a "3" in a bank account number. As a result, money was deposited in a non-existent account at the bank. The man learned this when he looked for the deposit in his account. The member called ASRS and asked them to correct their error and deposit the money properly into his account. The first person he talked to said they would do so; however, when the member called again, the second ASRS staff person said the fault for the problem was his because the fax document was light and hard to read. This ASRS worker said the problem could not be fixed for three weeks.

We contacted ASRS management and told them about the error and the responses by the two workers. The managers agreed their second worker was out-of-line. They spoke to the bank and had the misdirected deposit returned. ASRS then arranged to have a check sent to the retiree the next day via express mail.

903868. A man wanted to know if a state employee violated any laws or rules if they sent an e-mail that solicited money. He forwarded us an e-mail he received from someone at the Commission for the Deaf & Hard of Hearing. The e-mail asked for donations to support one of the Commission's programs. We consulted with the AG's office and they provided us with the GITA's policy 401, Section 4.1.18, which indicated the commission was in violation. The AG's office also provided us with the Rule R2-11-307.

We contacted the Commission for the Deaf & Hard of Hearing and informed them of the violation. They indicated that they were not aware of the rules and would stop the solicitation.

902907. A man complained that the local MVD office was out of the study guides for the motorcycle drivers test. He called around to other offices and they all were out of the booklets. Since his motorcycle was his only means of transportation, he needed to take the test as soon as possible.

We contacted the Director's Office at the MVD and they informed us that they were aware that there were no motorcycle booklets in any of the local offices. The printing of new booklets was delayed due to budget restrictions. We learned that new edition was due out, but it wouldn't be printed for a few more weeks. Fortunately, the Director's office had a couple copies of the old booklet left and made arrangements for the man to stop by their office and pick one up.

903570. A woman complained that the Department of Economic Security-Unemployment Insurance (DES-UI) had not paid her unemployment claim for several months. She said that she had been hired to start a new job, but that she was going to lose her car because she was not able to make the payments. She had been trying to contact DES-UI to resolve her issue, but couldn't get a return call.

We contacted DES-UI and after reviewing the file, they were able to correct the problem and immediately issued the check for the weeks owed. The woman was able to pick up her check, keep her car and started work the next week.

902139. A grandmother called on behalf of her mentally ill son. The adult son was the non-custodial parent of her grandchild and obliged to provide child support. The son is bi-polar and only recently resurfaced after being out of contact with his family and the court system. The mother explained that her son's bi-polar condition had been very bad and as a result, he just disappeared from society. The mother said the son wandered around the country for over a year and then re-surfaced when he was medicated and stabilized. Her son wanted to resume paying child support.

The grandmother helped arrange for social security payments to go to the mother of her grandchild. Because of the man's health condition, the child was also entitled to certain social security benefits. The first payment to the custodial parent was \$10,000, but the mother does not think that the DES Division of Child Support Enforcement (DCSE) took this or the monthly payments into account in their determinations. She said that in addition, the custodial parent had been receiving garnished wages now that her son was working. The mother said she sent a registered letter to Child Support and supplied them with copies of the Social Security material, but they never got the account squared away.

We contacted Child Support; they found the information and ordered a reconciliation of the account. DES realized they made a number of adjustments to the account and understood the mother's point about not giving credit for the \$10,000 payment. The mother was happy that DES finally gave her son credit for the \$10,000.

902192. A businessman applied for an auto-finance banking license from the Department of Financial Institutions in February. He said his caseworker finished her part in April, but the next step did not happen. When he contacted the Department, the manager told him that the agency neglected to mail out a letter a month earlier and this would take another week to generate. The businessman said the Department was long past its 45-day timeframe.

We discussed the case with the Department. The deputy researched the problem then confirmed the Department had taken too long. He said that they were short-handed, but regardless, the case should have been finished a month earlier. He went on to say that the remaining issue was whether or not the applicant had transacted business with loans in excess of \$25,000. We told the deputy that the applicant was aware of the rule and had been turning down the higher dollar loans and could provide documents to prove this was the case.

The deputy said he would instruct the manager to send the letter requesting the loan documentation as soon as possible.

We called the applicant and gave him the information. We explained the outstanding issue to the applicant and told him to prepare to answer questions about his transactions to date. The applicant said he appreciated knowing the issue and would turn in the requested information right away. The Department issued the license soon thereafter.

902278. A father said he was upset with how the Department of Health Services (DHS) failed to address his disabled son's injury. The man explained his mentally retarded adult son broke his ankle while in a professional care home. The father was upset the home did not promptly seek treatment for his son's injury. Further, the father said the treatment was not sufficient and the injury was treated as a sprain when, in fact, the

ankle was broken. The lack of quality care resulted in the son's injury becoming much more severe.

The father asked DHS to investigate the home and requested the name of the insurance carrier, but he was refused both. DHS told him that only the Attorney General (AG) could release information about the insurance carrier. Adult Protective Services (APS) had not acted either.

We contacted the AG Office and they informed the father how to obtain the information he desired. The attorney explained that the information was available if a legal guardian made a written request.

We also contacted APS. They said they would investigate and then give the guardian the results of the investigation. They said they would also need the father to provide guardianship papers.

We informed the complainant and he said he would comply by filing the appropriate paperwork with the two agencies.

902335. A couple received what they believed was an erroneous deposit of \$160.00 by the Department of Revenue (DOR). They tried to return the money, but they were rebuffed. The family called and wrote to seek instructions, but their problem was not addressed and they continued to receive misleading or incorrect information.

They turned to the Ombudsman Office for assistance. We examined their documentation and then contacted DOR. The Department said the error was the fault of their staff processing a 2007 tax return as a 2008 return. DOR corrected their error and put the family's tax account in proper order.

Public Access Ombudsman

OUTREACH AND EDUCATION

Educational Materials

We continue to receive requests for copies of our open meeting law and public records law booklets. They are also available on our website. In addition, I share and help develop training materials for public bodies.

Trainings

There is a huge demand for training throughout the State. During 2009, I provided 47 training sessions and made five presentations to groups discussing the role of our office and pending legislation.

In an effort to streamline training and reduce expenses, I continue to offer monthly trainings at the Carnegie Center in Phoenix and have successfully worked with several counties to coordinate centralized trainings; reaching out to the various local entities: county departments, towns, cities, local boards, commissions, and committees, school districts, charter schools, fire districts, and all special districts. I am also exploring the possibility of webcasts.

Website

I continue to update our website with publications, training opportunities, and developments in the open meeting and public records law: new case law, legislation, and Attorney General Opinions.

Newsletter

I continue to create and disseminate quarterly newsletters to public officials, public employees, and members of the public throughout the State. The most recent four issues of the newsletter are also available on our website and include information on hot issues relating to Arizona's open meeting law and public record laws, legislative updates, summaries of recent attorney general opinions, record management updates, information on upcoming training opportunities, and more.

In addition, this past year I wrote articles for the Arizona Fire District's Association and the University of Pittsburgh School of Law's online legal news and research publication.

INQUIRIES AND INVESTIGATIONS

In 2009, our office received 870 calls regarding matters related to public access. Of those calls, 536 were public record inquires and 334 were open meeting inquiries. Table 1 provides a breakdown of the number of inquires received from the public, the media, and government agencies. Table 2 provides the number of inquiries received about state agencies, county agencies, city or town agencies, school districts, and other local jurisdictions.

Table 1 (Inquiries from)

	The Public	The Media	Government Agencies
Number of inquiries	432	39	399

Table 2 (Inquiries about)

	State Agencies	County Agencies	City or town agencies	School Districts	Other Local Jurisdictions
Number of inquiries	237	92	279	107	155

Of the 870 inquiries, most calls resulted in coaching and assistance. Almost 50% of the calls were from government agencies seeking information or guidance. Forty-nine inquiries resulted in an investigation.

SAMPLE CASES

902016. Mohave Valley resident called to complain that the Mohave Valley Fire District denied access to a ledger. The fire district asserted that the ledger contained confidential information such as employee salaries and patient information. I contacted the District and explained that salary information is public record and must be disclosed. As for patient information, I provided information regarding HIPAA. I suggested that the District first determine whether it is in fact a covered entity. If so, I provided a list of the personal identifiers that must be redacted prior to disclosure. Complainant received everything he requested.

902047. Reporter for Arizona Republic asked for my opinion whether "retracted records" are public records. The Phoenix Coyotes (Coyotes) sent a letter to the City of Glendale (City), which the city was trying to get the Coyotes to retract. The reporter asked whether retracting the letter means it is no longer a public record. I opined that as soon as the City received the letter it became a public record. Whether the letter is subject to disclosure is a separate analysis. However, even if the Coyotes retract the letter, the letter must be retained pursuant to the City's retention and destruction schedule and would remain a public record along with any subsequent record created related to the retraction. It doesn't just disappear.

902115. The City of Goodyear's records department (City) asked for the statute that says a public body may not require identification when someone submits a public record request. I explained that it is exactly the opposite. There is no statute that requires a person to identify themselves. The courts have made it clear that the public records law presumes disclosure to any person unless one of the three exceptions applies: 1) the records are confidential by statute, 2) a privacy interest outweighs the public's right to know, or 3) disclosure is detrimental to the best interests of the State. There is no

requirement that a person requesting records provide any personal identifying information and failure to do so is not a legitimate basis for denial (unless disclosure is statutorily limited to certain individuals). That doesn't mean the City cannot request a name and contact information. It simply means you cannot deny access for failure to provide it.

902511. The Peoria Unified School District (District) called to discuss a public records request it received for the home address of District employees. The District wanted to know if this was a valid request. I confirmed that it is a valid request; the question is whether the records or information requested should be disclosed. I discussed the three reasons to withhold records and information contained in records. Although there is no statute that specifically precludes disclosure of the home address of District employees, we suggested that the district might have a valid privacy argument. The privacy exception is a judicially created balancing test that weighs the public's right to know and the individual's privacy interest in the information requested. I indicated that other similarly situated entities have turned to the applicable case law as well as A.A.C. R-5-105, which precludes disclosure of state employee's home address and telephone number to bolster a privacy interest.

The District asked whether before disclosing the information, the district should notify all affected employees. Although this is not required, I agreed this was a prudent approach. The District could give the employee an opportunity to secure a court order precluding release of the information so long as it is done in a prompt manner.

902586. Scottsdale Assistant City Attorney called for a written opinion regarding disclosure of evaluations prepared during executive session. I provided a written opinion finding that based on the particular facts and circumstances, the individual evaluations were not protected under A.R.S. section 38-431.03(B). The individual evaluations were maintained and provided to human resources. Therefore, although the executive discussion is confidential, the written evaluations are public records subject to inspection and copying unless the city determines that privacy or a best interest of the City outweighs the public's right to know.

902880. Palominas Board member asked if he may record an executive session. I opined that he should not. Executive sessions are confidential except from certain persons. Although he is a person permitted to attend executive sessions, the open meeting law authorizes the public body to record executive sessions, not individual board members. The potential problem is that the public body does not have control over individual recordings, particularly those done in secret, which may compromise the confidentiality of the executive session.

903227. Sierra Vista resident and local board member asked whether agenda items for work sessions must meet the same specificity requirements of regular agenda items. For instance, an upcoming work session agenda provides that the city council will discuss September 24, 2009 agenda items. I contacted the City to determine whether the council intended to discuss what items to put on the September 24th agenda or

whether it intended to actually discuss the individual agenda items. If the latter, the agenda must specifically list the agenda items. The city clerk asked whether informing the public where it may obtain a copy of the September 24th agenda items and posting them on the website is sufficient. I opined that while that might meet the minimum requirements, it should be included on the agenda. To do otherwise might be seen as a deterrent or attempt to circumvent the open meeting law.

903817. Sunsites-Pearce resident complained that the Sunsites-Pearce Fire District Board of Directors failed to properly notice and agendize its working session held on November 10, 2009. I reviewed the document at issue. It appears that the Board attempted to post a "courtesy notice" informing the public that a quorum of the Board might be present, but would not be discussing board business.

I contacted the Chairman of the Board. He explained that the work session was hosted by the fire department staff and employees for purposes of obtaining insurance information. Board members were invited to attend, but insurance is not a matter of board business and would not come before the board for action. In an effort to avoid any negative perception, the Board posted a courtesy agenda in case a quorum of the board attended the presentation. I found that this was not an open meeting law violation.

Elizabeth S. Hill
Assistant Ombudsman – Public Access

Child Protective Services Ombudsman

The role of the Assistant Ombudsman for Child Protective Services is to help citizens who have a complaint against CPS or the individual caseworker. The complaint could be that the agency did not following stated policy or procedures, violated relevant statutes, or it could just be someone in need of assistance with understanding the process. Over the past year, I have accepted phone calls from parents, grandparents, and extended family members and service providers. The levels of assistance that I am able to provide to the callers include simple coaching, informal assistance and, at times, opening up a matter for full investigation.

The majority of my calls are from parents that are exposed to CPS following an initial investigation. At times, parents or family members are referred by service providers who are familiar with our office and what we are able to do for people. Finally, some parents are even referred by their CPS caseworker who believes that the parent, family member or service provider may be able to have their complaint dealt with in a timely manner after contacting me.

The easiest calls to handle are coaching, where a caller just needs to have information and encouragement so they can help themselves. These types of calls can involve providing the caller with the phone number to their assigned caseworker, providing them with information that allows them to do their own research on state statutes and laws or help locating additional resources in their community.

One such case would be the mother who called requesting information about her upcoming severance trial. The caller wanted to know what she could expect from the experience. I explained to her the process by which the agency conducts the hearings, who are involved in the hearing, what the parties should expect and what the period for a ruling by the judge was. At the conclusion of the phone conversation the mother reported being much more at ease now that she was aware of what would be occurring. The mother thanked me for the information and for the ability to have her questions and concerns addressed.

Another coaching case was a request for information from an official in Colorado. The state is considering setting up an Ombudsman office for their child protective services and wanted to obtain information and advice from states that already had their units in place. I provided her with details on how the office was set up, who we report to and the benefits of having this type of venue for citizens to address their complaints.

The greatest majority of the phone calls are those where the caller is asking for assistance to rectify their concern or complaint. Parents and extended family members make up the bulk of these callers. Additional callers may be service providers, state employees or concerned citizens.

In 2009 a former CPS caseworker, who had begun the process to become a licensed social worker in the state, contacted me. She wanted to know if there had been any complaints filed against her, when she was an employee of CPS. She needed to obtain the information as part of the licensing process. A review of the database did not show any complaints made against this specific person. I provided the information to the caller, who was grateful to have received it in order to complete her application.

Last year saw a phone call from the Ombudsman Office in Oregon, who requested assistance on an interstate case. She was calling on behalf of the family in Oregon. There had been a question regarding medical insurance for Arizona children placed in her state. I was able to provide the necessary information, by contacting a CPS office in Arizona, and thus cleared up the matter for the caller.

When extended family members call, they are normally requesting assistance to be considered as a placement resource for the child or are seeking visitation rights.

A typical call would be when a family member, who resides out-of-state, questions why a child and/or their siblings have been placed in foster care instead of being placed with them. When I receive these types of call I begin by contacting CPS to determine if they are aware of the relative in question and attempt to determine if the case is at the point in which the agency would be open to out-of-state placement. I then call the person back and explain the process by which CPS seeks alternative placements.

For example, a mother who was not going to be reunified with her child was concerned that CPS would not consider her brother in California as a permanent placement option. A call to the CPS unit determined that the caseworker was not aware of this relative and requested to have his information provided to her. She agreed to contact this prospective placement and proceed with a referral for a home study.

Another common issue is the complaint made by parents when a CPS investigator interviews their children at school. In these calls the parents complained that they were not notified before hand of the interview and felt that their rights had been violated. I explain the state statutes that allow these interviews to occur in this manner and made sure CPS acted appropriately.

At times, there are calls that require a more thorough review of the record and may involve interviews with CPS staff members in order to resolve the complaint. These calls may result in a written report with recommendations to the agency or may even require further review by the State Legislature.

I received a call last year from a family member who was concerned that CPS had placed the children into the home with their father, who had an Order of Protection against him. The caller complained about this decision and asked to have the situation investigated. A review of the case and communication with the agency indicated that the CPS caseworker was not aware of the order. After the worker received, a copy of

the Order of Protection from the family the agency removed the children and placed with another relative.

Another call involved a parent's complaint that CPS had obtained her medical records without a signed consent, violating HIPPA regulations. A complete review of the case and records indicate that CPS did not obtain those records. The agency determined that the medical provider had released the records to the family without the proper consent. I provided this information to the caller and I encouraged her to file a grievance with the Medical Board against this provider if she wanted to pursue the matter further.

Child Protective Services has been open and receptive to working with me to resolve the numerous complaints and concerns that I receive. Their staff members have provided timely and thorough responses when requested as well as provided the necessary follow up when appropriate.

Kara VanHise
Asst Ombudsman for CPS

The Ombudsman and Staff

Patrick Shannahan, Ombudsman-Citizens' Aide. Pat was appointed Arizona's first Ombudsman-Citizens' Aide on July 1, 1996. He is a former military officer with extensive experience in management, problem solving, strategic planning, and negotiation. Pat's last military assignment was with the Joint Chiefs of Staff where he participated in international arms control negotiations, represented the Joint Chiefs at interagency working groups and helped formulate national security policy. Pat has completed the mediation training program presented by the Attorney General's Office and investigator training through the Council on Licensure, Enforcement and Regulation. He has a bachelor's degree from Arizona State University, a master's degree from Webster University and was a research fellow at the National Defense University in Washington DC. He is active in the United States Ombudsman Association and the Arizona State University Alumni Association.

Joanne C. MacDonnell - Deputy Ombudsman. Joanne joined the office in 2005 after serving nearly eight years as the Arizona Corporation Commission Director of Corporations. Joanne has experience in management, human resources, problem resolution, customer service, strategic planning and process analysis. Joanne has Bachelor of Science in Business Administration & Real Estate from the University of Arizona. She is an Investigator certified by the Council on Licensure, Enforcement & Regulation and completed mediation training through South Mountain Community College. She completed additional training including the Executive Course, Project & Investment Justification Training, various risk management, procurement and ethics courses through Arizona Government University (AZGU); the Leadership Module through Rio Salado College and AZGU; and ombudsman training prescribed by the US Ombudsman Association (USOA). She is on the Board of Directors of the U.S. Ombudsman Association, and chairs the Outreach and Development Committee. Prior to working in government, Joanne worked in the private sector at FCC Investors, Inc, serving on the Board of Directors and as an accountant. She also worked in real estate as a licensed Realtor associate and real estate appraiser.

Kara VanHise - Assistant Ombudsman for Child Protective Services. Kara joined the office in 2007 after serving for nearly 3 years as a program supervisor for foster care with Catholic Community Services. Prior to this Kara worked for five and a half years as a Child Protective Services specialist for the State of Arizona. Kara has also worked for the Salvation Army providing case management services to homeless individuals and families. She has a bachelor's degree in sociology from Portland State University. In addition to her work for the Ombudsman - Citizens' Aide office Kara participates as a member of the State Citizen Review Panel on child fatalities, the Court Improvement Project and the Children's Action Alliance Child Welfare Committee. Kara completed the National Certified Investigator/Inspector Basic Training Program through CLEAR in October 2007. In addition she completed a 40-hour course in September 2008 entitled Introduction to Mediation.

Carmen Salas, Assistant Ombudsman. Carmen joined the Ombudsman's office in July 2005. She previously worked at the Arizona Corporation Commission for nine years. For three of those years she was the Supervisor in the Corporations Division's Annual Reports Section. For the last two years she was the Management Analyst for the division. Carmen has experience in customer service, process analysis and problem resolution. She received her Bachelor of Science degree in Business Management from the University of Phoenix in October 2005. She has completed additional training including ethics and various risk management courses, which included the Leadership Module through Arizona Government University. She has also completed ombudsman training prescribed by the US Ombudsman Association. Carmen has also completed the National Certified Investigator/Inspector Basic Training Program. She also completed the mediation program through Interaction Management Associates. Carmen is fluent in Spanish.

Therasia Roland, Assistant Ombudsman. Therasia joined the Ombudsman's office in 2006. She has a master's degree in Social Work from Arizona State University, and a bachelor's degree in Psychology from McKendree College in Lebanon, Illinois. During her graduate study, she served as an intern with DES Division of Aging and Community Services and worked with the Arizona Department of Health Services, Division of Chronic Disease Prevention and Nutrition Services. She has also served as a Compliance Principal for AIG financial group and managed a vocational rehabilitation program for Goodwill Industries. Therasia has completed basic investigator certification through CLEAR and the 40 hour mediation course.

Elizabeth S. Hill, Assistant Ombudsman for Public Access. Liz joined the office in February 2007, after serving three years as an Arizona Assistant Attorney General in the Civil Division and member of the Open Meeting Law Enforcement Team. Prior to working at the Office of the Arizona Attorney General, Liz spent two years working with the Arizona Department of Revenue as a Tax Analyst and Tax Counsel. She has a bachelor's degree from Northern Arizona University, a law degree from Gonzaga University School of Law, and is licensed to practice law in Arizona. Liz also completed mediation training through Interaction Management Associates and investigator training through the Council on Licensure, Enforcement and Regulation. She is an active member of the Arizona State Bar Association, the United States Ombudsman Association, and the American Bar Association (ABA), currently serving as Vice-Chair of the ABA's Administrative Law and Regulatory Section's Ombuds Committee.

REQUESTS FOR INVESTIGATION

Declined*	9
Complaint withdrawn or resolved during investigation	12
Investigation completed	153
Ongoing	1
TOTAL REQUESTS FOR INVESTIGATION	175

* The Ombudsman-Citizens' Aide has the statutory authority to decline to investigate a complaint if there is another adequate remedy available; the complaint relates to a matter that is outside the duties of the ombudsman-citizens aide; the complaint relates to an administrative act that the complainant has had knowledge of for an unreasonable time period; the complainant does not have a sufficient personal interest in the subject matter of the complaint; the complaint is trivial or made in bad faith; or the resources of the office of ombudsman-citizens aide are insufficient to adequately investigate the complaint.

INVESTIGATIVE FINDINGS

SUPPORTED/PARTIALLY SUPPORTED		48
Requires further consideration by agency	5	
Other action by agency required	18	
Referred to the legislature for further action	1	
Action was arbitrary or capricious	0	
Action was abuse of discretion	0	
Administrative act requires modification/cancellation	16	
Action was not according to law	6	
Reasons for administrative act required	1	
Statute or Rule requires amendment	0	
Insufficient or no grounds for administrative act	1	
INDETERMINATE		4
NOT SUPPORTED		101
TOTAL INVESTIGATIVE FINDINGS		153

CONTACTS

Agency	Coaching	Assistance	Investigation	Total
Accountancy Board	7	1	1	9
Administration, Department of	19	11	0	30
Administrative Hearings, Office of	3	0	0	3
Agriculture, Department of	2	0	0	2
Agua Fria High School	1	1	0	2
AHCCCS	30	40	1	71
Alpine	1	0	0	1
Alpine Sanitary District	1	0	0	1
Anthem	1	0	0	1
Apache County Attorney's Office	3	0	1	4
Apache County Board of Supervisors	2	0	2	4
Apache County Community Development	1	0	0	1
Apache County Planning and Zoning Board	3	0	0	3
Apache Junction	1	0	0	1
Apache Junction Police Department	1	0	0	1
Apache Junction Unified School District	1	0	0	1
Appraisal, Arizona Board of	3	0	0	3
Arizona Ball Charter Schools	1	0	0	1
Arizona Behavioral Health Planning Council	1	0	0	1
Arizona City Sanitary District	0	1	0	1
Arizona Commission for the Deaf & Hard of Hearing	0	1	0	1
Arizona Homeland Security	2	0	0	2
Arizona Natural Conservation District	1	0	0	1
Arizona State Hospital	0	1	0	1
Attorney General, Office of	43	11	1	55
Auditor General	1	1	0	2
Avondale	1	0	0	1
Ball Charter Schools	0	1	0	1
Barbers, Arizona Board of	1	0	1	2
Beaver Valley Water Improvement District	1	0	0	1
Behavioral Health Examiners, State Board of	2	10	1	13
Benson	1	0	0	1
Benson Fire District	1	0	0	1
Berean Charter School	0	1	0	1
Bisbee	3	0	0	3
Bisbee Municipal Court	1	0	0	1
Bisbee Unified School District	0	1	0	1
Black Canyon Fire District	1	0	0	1
Bowie Water District	1	1	0	2
Boxing Commission	1	2	0	3
Buckeye	2	0	0	2
Buckeye City Clerk	8	0	0	8
Buckskin Fire Department	2	0	0	2
Buckskin Sanitary District	0	0	1	1
Bullhead City Board of Adjustment	1	0	0	1
Camp Verde	8	1	0	9
Carefree Town Council	0	1	0	1
Cartwright	0	1	0	1
Central Arizona Project	3	0	0	3
Central Yavapai Metropolitan Planning Organization	1	0	0	1

Chandler	1	0	0	1
Chandler City Clerk	1	0	0	1
Chandler Police Department	0	0	1	1
Charter Schools, Arizona State Board of	7	7	0	14
Chino Valley	5	0	0	5
Chiropractic Examiners, State Board of	2	3	2	7
City of Maricopa	15	1	0	16
Clarkdale	2	0	0	2
Cochise	1	0	0	1
Cochise County Attorney	10	0	0	10
Cochise County Board of Supervisors	6	1	2	9
Cochise County Planning and Zoning Commission	1	0	0	1
Cocnino County Violence Fatality Review Team	1	0	0	1
Coconino	2	0	0	2
Coconino County Assessor	0	1	0	1
Coconino County Health Department	1	0	0	1
Commerce, Department of	5	0	2	7
Commission for the Deaf & Hard of Hearing	1	0	0	1
Commission of Judicial Conduct	2	0	0	2
Compensation Fund	1	5	0	6
Concho Fire Department	0	1	0	1
Concho Fire District	2	0	0	2
Congress Domestic Water District	2	1	0	3
Congress Elementary School District	6	1	2	9
Corporation Commission	19	6	0	25
Corrections, Department of	37	7	2	46
Cosmetology, Board of	1	1	0	2
Cottonwood Police Department	2	0	0	2
Council of Developmental Disabilities	0	1	0	1
County Supervisors	1	0	0	1
CRO	2	0	0	2
Crown Charter School	0	1	0	1
Deer Valley Unified School District	0	1	0	1
Dental Examiners, Board of	14	11	2	27
Department of Economic Security	1	3	0	4
DES - Aging & Community Services	90	8	0	98
DES - Benefits and Medical Eligibility	68	233	2	303
DES - Child Protective Services	176	316	93	585
DES - Child Support Enforcement	19	131	1	151
DES - Children and Family Services	1	0	0	1
DES - Developmental Disabilities	7	16	0	23
DES - Employment and Rehabilitation	61	408	1	470
DES - Other	16	9	0	25
DES- Adult Protective Services	3	1	0	4
Desert Marigold School	6	0	0	6
Developmental Disabilities Council	2	0	0	2
Dewey-Humboldt	3	0	0	3
Dewey-Humboldt Town Council	3	0	0	3
Discovery Plus Academy	2	0	0	2
Duncan	1	0	0	1
Duncan School District	1	0	0	1
Duncan Unified School District	0	0	1	1
Dysart School District	1	2	0	3

East Santa Cruz County Justice Court	1	0	0	1
Education, Department of	7	9	0	16
EduPreneurship Student Center	1	0	0	1
El Mirage	1	0	0	1
El Mirage Police Department	2	0	0	2
Elfrida Elementary School District #12	0	0	1	1
Elfrida Fire District	4	0	0	4
Elfrida Water District	0	1	0	1
Emergency & Military Affairs, Department of	1	1	0	2
Environmental Quality, Department of	9	7	0	16
Equalization, State Board of	1	1	0	2
Executive Clemency, Board of	1	0	0	1
Federal-DEA	1	0	0	1
Financial Institutions, Arizona Department of	12	7	1	20
Fingerprinting, Board of	3	6	0	9
Fire Building and Life Safety, Department of	6	5	4	15
First Things First	1	0	0	1
Flagstaff	1	0	0	1
Flagstaff Parks and Recreation	1	0	0	1
Flagstaff Unified School District	0	0	1	1
Florence	0	1	0	1
Fountain Hills	1	0	0	1
Frye fire district	1	0	0	1
Funeral Directors & Embalmers, State Board of	1	0	0	1
Gadsden Elementary	3	0	1	4
Game and Fish, Department of	5	3	0	8
Gaming, Department of	0	0	1	1
Ganado School District	1	1	0	2
Gila County	1	0	0	1
Gila County Board of Supervisors	1	0	0	1
Gilbert Police Department	1	0	0	1
Gilbert Unified Elementary School District	0	1	0	1
Glendale	2	0	0	2
Glendale Union High School District	1	0	0	1
Globe School District	2	0	0	2
Goodyear	11	1	0	12
Government Information Technology Agency	1	0	0	1
Governor, Office of	19	0	0	19
Governor's Council of Aging	3	0	0	3
Governor's Council on Developmental Disabilities	3	0	0	3
Graham	1	0	0	1
Grapevine Mesa Fire District	0	1	0	1
Greenlee County	2	0	0	2
Greer Fire District	1	0	0	1
GRRC	2	0	0	2
Harquahala Valley Fire District	11	2	1	14
Health Services, Department of	48	13	0	61
Health Services, Vital Records Office	6	6	0	12
Highway Safety, Governor's Office of	2	0	0	2
Holbrook Justice Court	1	0	0	1
Homeland Security, Department of	0	1	0	1
Housing, Department of	0	2	0	2
Industrial Commission	23	9	0	32

Industrial Development Authority	2	0	1	3
Industrial Development Authority of Sierra Vista	2	1	0	3
Insurance, Department of	14	7	1	22
Jerome	2	0	0	2
Joint Legislative Budget Committee	1	0	0	1
Judicial Conduct, Commission on	4	0	0	4
Juvenile Corrections, Department of	0	1	0	1
Kearney	1	0	0	1
Kingman	3	0	0	3
Kyrene Unified School District	1	0	0	1
La Paz County Sheriff	0	0	1	1
Lake Havasu City	2	0	0	2
Land, Department of	0	1	0	1
Legislature	49	2	0	51
Library, Archive & Records Dept.	9	1	0	10
Liquor Licenses and Control, Department of	2	0	1	3
Lottery	2	0	0	2
Marana Drainage and Water Improvement District	1	1	0	2
Maricopa County Environmental Services Department	1	0	0	1
Maricopa City Council	0	1	0	1
Maricopa County Attorney	1	0	0	1
Maricopa County Board of Supervisors	2	0	0	2
Maricopa County Department of Public Health	1	0	0	1
Maricopa County Head Start	0	1	0	1
Maricopa County Medical Examiner	2	1	0	3
Maricopa County Sheriff	4	2	1	7
Maricopa County Superior Court	2	0	0	2
Maricopa Police Department	1	0	0	1
Massage Therapy, State Board of	1	1	0	2
Mayer Fire District	13	2	0	15
Medical Board, Arizona	31	13	0	44
Mesa	2	1	0	3
Mesa City Attorney's Office	2	0	0	2
Mesa Fire Department	1	0	0	1
Mesa Police Department	1	0	1	2
Mesa School District	1	0	0	1
Metropolitan Planning Organization	1	0	0	1
Mohave Valley Fire District	0	1	0	1
Mojave Community College	1	0	0	1
Mountain Oak	1	0	0	1
Naco School District	2	0	0	2
Naturopathic Physicians Board of Medical Examiners	0	3	0	3
Navigable Stream Adjudication Commission	0	0	1	1
Nogales	5	2	3	10
Nogales Unified School District	0	1	0	1
North Star Charter School	1	0	1	2
Northeast Arizona Technological Institute	0	1	0	1
Northern Arizona University	0	1	0	1
Northland Preparatory Academy	1	0	0	1
Northwest Fire District	5	0	0	5
Nursing, State Board of	17	12	2	31
Oasis Elementary School	0	1	0	1
Office of Pest Management	3	0	0	3

Ombudsman	147	10	0	157
Omega Alpha Academy	0	0	1	1
Optometry, State Board of	3	3	0	6
Other - Government	294	18	0	312
Other - Private	306	4	0	310
Other-federal	1	0	0	1
Page	1	0	0	1
Palominas Fire District	14	1	2	17
Paradise Valley	2	0	0	2
Paradise Valley School District	0	0	1	1
Parker	1	0	0	1
Parks, Department of	3	1	0	4
Patagonia	0	1	0	1
Peace Officer Standards & Training Board	1	0	0	1
Peoria Unified School District	1	0	0	1
Personnel Board	4	0	0	4
Pharmacy, Board	5	3	1	9
Phoenix	4	1	0	5
Phoenix Municipal Court	1	0	0	1
Phoenix Police Department	3	2	1	6
Physical Therapy Examiners, Board of	1	0	0	1
Picture Rocks Fire Department	1	0	0	1
Pima County	1	0	0	1
Pima and Winkelman Natural Resource Cons. Distr.	1	0	0	1
Pima Association of Governments	1	0	0	1
Pima County Attorney's Office	4	0	0	4
Pima County Department of Health	1	0	0	1
Pima County Sheriff's office	1	0	0	1
Pima County/Tucson Women's Commission	1	0	0	1
Pinal County	3	0	0	3
Pinal County Attorney's Office	3	0	0	3
Pinal County Housing Authority	1	1	0	2
Pinetop-Lakeside	3	2	1	6
Pinewood Fire District	1	0	0	1
Pioneers Home	5	1	0	6
Podiatry Examiners, State Board of	1	0	3	4
Postsecondary Education, Arizona Commission for	2	0	0	2
Prescott	11	2	0	13
Prescott City Council	1	0	0	1
Prescott Legal Department	1	0	0	1
Prescott Valley	1	0	0	1
Private Post-Secondary Education, Board for	2	2	0	4
Psychologist Examiners, State Board of	4	0	0	4
Public Safety Personnel Retirement System	1	0	0	1
Public Safety, Department of	14	9	0	23
Quartzite City Clerk	3	0	0	3
Quartzsite Police Department	0	1	0	1
Racing, Department of	15	8	1	24
Radiation Regulatory Agency	0	1	0	1
Real Estate, Department of	10	6	0	16
Regents, Arizona Board of	3	1	0	4
Registrar of Contractors	20	29	4	53
Respiratory Care Examiners, Board of	1	2	0	3

Retirement System, Arizona State	6	13	0	19
Revenue, Department of	15	32	1	48
Rio Rico Fire District	0	1	0	1
Riverside School District	0	1	1	2
Road Improvement District - Yavapai Cty	0	0	1	1
Safford	1	0	0	1
Sahuarita	3	0	0	3
Sahuarita Unified School District	2	0	0	2
San Tan Irrigation District	7	0	0	7
Santa Cruz County	2	0	0	2
Santa Cruz County Justice Court	1	0	0	1
Santa Cruz Sheriff's Office	1	0	0	1
Scottsdale	7	3	0	10
Scottsdale Police Department	2	0	0	2
Scottsdale Unified School District	5	1	0	6
Secretary of State, Office of	10	4	0	14
Sedona Fire District	2	0	0	2
Show Low City Clerk's Office	1	0	0	1
Sierra Vista	1	0	0	1
Sierra Vista City Council	2	1	0	3
Sierra Vista IDA	1	0	0	1
Sierra Vista School District	1	0	0	1
Somerton Police Department	1	0	0	1
South Tucson	1	0	0	1
Springerville	2	0	0	2
St Johns	1	0	0	1
Star Valley	5	4	1	10
Steering Committee (2050)	1	0	0	1
Structural Pest Control Commission	1	0	0	1
Sunburst Farms Irrigation District	12	2	2	16
Sunsites-Pearce Fire District	7	0	4	11
Superior	1	0	1	2
Superior Court	12	0	0	12
Supreme Court	6	0	0	6
Surprise City Council	1	0	0	1
Surprise City Court	1	0	0	1
Surprise Judicial Selection Advisory Committee	1	0	0	1
Surprise Police Department	2	0	0	2
Taylor	2	0	0	2
Technical Registration, Board of	1	2	0	3
Tempe	2	0	0	2
Tempe City Attorney's Office	2	0	0	2
Tempe Police Department	1	0	0	1
Tempe Prep Academy	1	0	0	1
Tempe Union High School District	1	0	0	1
Tolleson	1	0	0	1
Tombstone Unified School District	1	0	0	1
Transportation, Department of	4	11	0	15
Transportation-Motor Vehicle Division	25	80	0	105
Tucson	2	0	0	2
Tucson City Clerk's Office	1	0	0	1
Tucson Country Day School	1	0	0	1
Tucson Medical Examiner	0	1	0	1

Tucson Unified School District	2	0	0	2
University of Arizona	3	0	0	3
Unknown charter school	11	0	0	11
Unknown city	7	0	0	7
Unknown community college	2	0	0	2
Unknown fire district	9	0	0	9
Unknown hospital district	1	0	0	1
Unknown irrigation district	1	0	0	1
Unknown local jurisdiction	11	0	0	11
Unknown school district	12	0	0	12
Unknown state agency	6	0	0	6
Unknown water district	4	0	0	4
Vechij Himdag MashchamakuD Alternative School	1	0	0	1
Veterans Home	1	0	0	1
Veterans' Services, Department of	4	1	0	5
Veterinary Medical Examining Board	5	4	0	9
Weights and Measures, Department of	25	3	0	28
Westar Elementary School	0	0	1	1
Whispering Pines Fire Department	1	0	0	1
Wickenburg Police Department	0	1	0	1
Willcox	1	0	0	1
Yavapai County	2	0	0	2
Yavapai County Attorney's Office	0	1	0	1
Yavapai County Community College	1	0	0	1
Yavapai County Flood District	0	1	0	1
Yuma County	1	0	0	1
Yuma City	25	13	5	43
Yuma County Attorney's Office	0	1	0	1
Yuma County Recorder	2	0	0	2
Yuma Cty Dev Services	0	1	0	1
Yuma Elementary School District #1	2	0	0	2
Yuma Metro Planning Organization Governing Board	1	0	0	1
Yuma Municipal Court	1	0	0	1
Yuma Police Department	1	1	0	2
TOTAL NUMBER OF CONTACTS	2406	1691	175	4272